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Deed of Partition between members of Joint Hindu Family

THIS DEED OF PARTITION is made at ... this ... day of ... between Mr. A, residing at hereinafter called “the Party of the First Part, “Smt. B, hereinafter called “the Party of the Second Part” Mr. C, hereinafter called the Party of “the Third Part” and (1) Kumari D. and (2) Kum. E, minors under the age of 18 years, by their father and natural guardian, the Party of the First Part hereinafter called “the Parties of the Fourth Part”

WHEREAS -

1. The Parties hereto are members of a joint and undivided Hindu family, the Party of the First Part being the Karta or Manager thereof, the Party of the Second Part being the wife, Party of the Third Part being the son and Parties of the Fourth Part being the unmarried daughters of the Party of the First Part.

2. The joint family, so constituted, is possessed of or otherwise well and sufficiently entitled, inter alia to immoveable properties, situated at ... and more particularly described in the Schedules hereunder written.

3. The Parties of the First and Third Parts are thinking of starting their independent businesses and they do not desire to involve the joint family properties in such business and with this end in view and for diverse other reasons it was orally agreed between the parties hereto that there should be an amicable separation of the joint family immoveable properties and that necessary documents be executed between the parties hereto, transferring their respective shares and interest therein in favour of such parties to whom portions thereof are to be allotted.

4. The Parties of the Fourth Part being the unmarried female members of the said joint Hindu family and daughters of the Party of the First Part, they are only entitled to maintenance till marriage and marriage expenses, out of the joint family immoveable properties, and it is, therefore agreed between the Parties hereto that in satisfaction of such right the Parties of the First, the Second and Third Parts should contribute a sum of Rs... each out of their shares, so that each of the parties of the Fourth Part shall get a sum of Rs... as provision for marriage expenses and maintenance till marriage.

5. It has been agreed that the Party of the First Part should take the land, and premises more particularly described in the First Schedule hereunder written and valued at Rs... in severalty, for and on account of his share in the joint family immoveable properties, the Party of the Second Part should take the land and premises more particularly described in the Second Schedule hereunder written and valued at Rs. ... in severalty for and on account of her share and the Party of the Third Part should take the land and premises more particularly described in the Third Schedule hereunder written and valued at Rs. ... for and account of his share in the joint family properties as from the ... day of ...

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6. For the purpose of Stamp duty the land and premises hereby intended to be partitioned and more particularly described in the said Schedules hereunder written are valued at Rs... and stamp duty is being paid on the respective shares allotted to the Parties of the First and Second Parts of the aggregate value of Rs... the value of the share allotted to the Party of the Third Part being excluded.

NOW THIS DEED WITNESSETH that in pursuance of the said agreement and in consideration of the premises, they the Parties of the Second, Third and Fourth Parts according to their respective rights, shares, and interests do and each of them doth hereby grant, release and confirm unto the Party of the First Part forever All Those pieces or parcels of land, and premises more particularly described in the First Schedule hereunder written, Together with all the things attached thereto or standing thereon and embedded therein and all the easements, profits, privileges, advantages and rights, appurtenances whatsoever to the said premises belonging or in anywise appurtenant with the same or any part thereof now or at any time heretofore usually held, used occupied or enjoyed and All the estate right, title and interest whatsoever both at law and equity of the Parties of the Second, Third and Fourth Parts into or upon the said premises TO HAVE AND TO HOLD the premises hereby granted released and confirmed or intended so to be unto and to the use of the Party of the First Part forever subject to payment of all rents, taxes, assessments, dues and duties now chargeable upon the same or which may hereafter become payable in respect thereof either to the State Govt. or the Municipal Corporation or any other local authority And they the Parties of the Second, Third and Fourth Parts do and each of them doth hereby covenant with the Party of the First Part that notwithstanding any act, deed, matter or thing whatsoever by the Parties of Second, Third and Fourth Parts respectively or any person or persons lawfully or equitably claiming or to claim by, from, through, under or in trust for them made, done or knowingly suffered to the contrary they now have good right, full power and absolute authority to grant release and confirm the said premises unto and to the use of the Party of the First Part free from encumbrances in manner aforesaid AND THAT the Party of the First Part shall and may at all times hereafter peaceably and quietly enter upon, have, hold, occupy, possess and enjoy the said premises and receive the rents issues, and profits thereof to and for his own use and benefit without any suit, eviction, interruption, claim or demand whatsoever from or by them the Parties of the Second, Third and Fourth Parts or any of them or any person or persons lawfully or equitably claiming or to claim by from under or in trust for them or any of them AND THAT free and clear and freely and clearly and absolutely exonerated and forever discharged or otherwise by the Parties of the Second, Third and Fourth Parts well and sufficiently saved and defended and kept harmless and indemnified of from and against all former and other estates, titles, charges, and encumbrances whatsoever had made, executed, occasioned or suffered by them or by any other person or persons lawfully or equitably claiming or to claim by, from, under or in trust for them or any of them AND FURTHER that they the Parties of the Second, Third and Fourth Parts and all persons having or lawfully or equitably claiming any estate or interest in the said premises or any part thereof from, under or in trust for them or any of them shall and will from time to time and at

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all times hereafter at the request and costs of the Party of the First Part do and execute or cause to be done and executed all such further and other acts, deeds, things conveyances and assurances in the law whatsoever for the better and more perfectly assuring the said premises and every Part thereof unto and to the use of the Party of the First Part in manner aforesaid as by him the Party of the First Part or his Counsel in law shall be reasonably required.

AND THIS DEED ALSO WITNESSETH that in pursuance of the said agreement and in consideration of the premises, they the Parties of the First, Third and Fourth Parts, according to their several rights, shares and interest, do and each of them doth hereby grant, release and confirm unto the Party of the Second Part forever all those pieces or parcels of land and premises more particularly described in the Second Schedule hereunder written, together with all the things attached thereto and standing thereon or embedded therein and all the easements, profits, privileges, advantages and rights, appurtenant whatsoever to the said premises belonging, or in anyway appurtenant with the same or any part thereof now or at any time hereafter usually held used occupied or enjoyed and all the estate, right, title and interest whatsoever both at law and equity of the Parties of the First, Third and Fourth Parts into or upon the said premises TO HAVE AND TO HOLD the premises hereby granted, released and confirmed or intended so to be unto and to the use of the Party of the Second Part forever subject to all rents, taxes, assessments, due and duties now chargeable upon the same or which may hereafter become payable in respect thereof either to the State or the Municipal Corporation or any other local authority And they the Parties of the First, Third and Fourth Parts do and each of them doth hereby covenant with the Party of the Second Part that notwithstanding any act, deed, matter or thing whatsoever by the Parties of the First, Third and Fourth Parts respectively or any person or persons lawfully or equitably claiming or to claim by, from, through, under or in trust for them made, done or knowingly suffered to the contrary they now have good right, full power and absolute authority to grant, release and confirm the said premises unto and to the use of the Party of the Second Part free from encumbrances in manner aforesaid AND THAT the Party of the Second Part shall and may at all times hereafter peaceably and quietly enter upon, have hold, occupy, possess and enjoy the said premises and receive the rents issues and profits thereof to and for her own use and benefit without any suit, eviction, interruption, claim or demand whatsoever from or by them the parties of the First, Third and Fourth Parts or any of them or any person or persons lawfully or equitably claiming or to claim by, from, under or in trust for them or any of them AND that free and clear and freely and clearly and absolutely exonerated and forever discharged or otherwise by the Parties of the First, Third and Fourth Parts well and sufficiently saved and defended and kept harmless and indemnified of, from and, against all former and other estates, titles, charges and encumbrances whatsoever had made, executed, occasioned or suffered by them or by any other person or persons lawfully or equitably claiming or to claim by, from, under or in trust for them or any of them AND FURTHER that they the Parties of the First, Third and Fourth Parts and all persons having or lawfully or equitably claiming any estate or interest in the said premises or any part

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thereof from under or in trust for them or any of them shall and will from time to time and at all times hereafter at the request and costs of the Party of the Second Part do and execute or cause to be done and executed all such further and other acts, deeds, things, conveyances and assurances in the law whatsoever for the better and more perfectly assuring the said premises and every part thereof unto and to the use of the Party of the Second Part in manner aforesaid as by her the Party of the Second Part or her counsel in law shall be reasonably required.

AND THIS DEED ALSO WITNESSETH that in pursuance of the said agreement and in consideration of the premises they the Parties of the First, Second and Fourth Parts according to their respective rights, shares and interest do and each of them doth hereby grant, release and confirm unto the Party of the Third Part forever all those pieces or parcels of land more particularly described in the Third Schedule hereunder written Together with all the things attached thereto and standing thereon or embedded therein and also all easements, profits, privileges, advantages and appurtenances whatsoever to the said premises belonging or in any way appurtenant or with the same or any part thereof now or at any time hereafter usually held, used, occupied or enjoyed and all the estate, right, title and interest whatsoever both at law and equity of the Parties of the First, Second and Fourth Parts into or upon the said premises TO HAVE AND TO HOLD the premises hereby granted, released and confirmed or intended so to be unto and to the use of the Party of the Third Part forever subject to payment of all rents, taxes, assessments, dues and duties now chargeable upon the same or which may hereafter may become payable in respect thereof either to the State Govt. or the Municipal Corporation or any other local authority and they the Parties of the First, Second and Fourth Parts do and each of them doth hereby covenant with the Party of the Third Part that notwithstanding any act, deed, matter or thing whatsoever by the Parties of the First, Second and Fourth Parts respectively or any person or persons lawfully or equitably claiming or to claim by from through, under or in trust for them made done or knowingly suffered to the contrary they now have good right, full power and absolute authority to grant release and assure the said premises unto and to the use of the Party of the Third Part free from encumbrances in manner aforesaid AND THAT the Party of the Third Part shall and may at all times hereafter peaceably and quietly enter upon, have, hold, occupy, possess and enjoy the said premises and receive the rents, issues and profits thereof to and for his own use and benefit without any suit, eviction, interruption, claim or demand whatsoever from or by them the Parties of the First, Second and Fourth Parts or any of them or any person or persons lawfully or equitably claiming or to claim by from under or in trust for them or any of them AND THAT free and clear and freely and clearly and absolutely exonerated and forever discharged or otherwise by the Parties of the First, Second, and Fourth Parts well and sufficiently saved and defended and kept harmless and indemnified of, from and against all former and other estates, titles, charges and incumbrances whatsoever had made, executed, occasioned or suffered by them or by any other person or persons lawfully or equitably claiming or to claim by from under or in trust for them or any of them AND FURTHER that they the Parties of the First, Second and Fourth Parts and all persons having or lawfully or equitably claiming any

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estate or interest in the said premises or any part thereof from, under, or in trust for them or any of them shall and will from time to time and at all times hereafter at the request and costs of the Party of the Third Part do and execute or cause to be done and executed all such further and other acts, deeds, things and assurances in the law whatsoever for the better and more perfectly assuring the said premises and every part thereof unto and to the use of the Party of the Third Part in manner aforesaid as by him the Party of the Third or his Counsel in law shall be reasonably required-

AND THIS DEED ALSO WITNESSETH that in further pursuance of the said agreement and in consideration of the premises they, the Parties of the Fourth Part do and each of them doth hereby acknowledge the receipt of the sum of Rs... each paid by the Parties of the First, the Second and the Third Parts to them the Parties of the Fourth Part (receipt acknowledged) as provision for their marriage expenses and maintenance till marriage and the Parties of the Fourth Part hereby declare that they have now no claim whatsoever either against the Parties of the First, Second and Third Parts and the immoveable properties more particularly described in the said Schedules hereunder written for their marriage expenses and maintenance till marriage. And the Party of the First Part as the father and natural guardian of the Parties of the Fourth Part doth declare that he will hold the said two amounts of Rs. each as trustee for the benefit of each of the Parties of the Fourth Part respectively until each of them attains majority and in the meanwhile he will invest the amounts in appropriate securities and spend the income therefrom for the maintenance and education of the said minors and on each of them attaining majority that is completing 18 years of age shall hand over the corpus of the said amount to her or them.

THE FIRST SCHEDULE ABOVE REFERRED TO

x x x x

THE SECOND SCHEDULE ABOVE REFERRED TO

x x x x

THE THIRD SCHEDULE ABOVE REFERRED TO

x x x x

IN WITNESS WHEREOF the parties hereto have hereunto set and subscribed their respective hands the day and the year first hereinabove written.

Signed and Delivered by the)
withinnamed party of the)
First Part ... in the presence)
of ...)

Signed and Delivered by the)
withinnamed Party of the)
Second Part ... in the)
presence of ...)

DEED OF PARTIAL PARTITION

Signed and Delivered by the)
withinnamed Party of the)
Third Part ... in the)
presence of...)

Signed and Delivered by the)
withinnamed Party of the)
Fourth Part (1) ...)
(2) ... minors by their father)
and natural guardian, ... in)
the presence of ...)